

ISMAIL J. RAMSEY (CABN 18982)
United States Attorney
THOMAS A. COLTHURST (CABN 99493)
Chief, Criminal Division
MOLLY K. PRIEDEMAN (CABN 302096)
ANDREW PAULSON (CABN 267095)
Assistant United States Attorneys

1301 Clay Street, Suite 340S
Oakland, California 94612
Telephone: (510) 637-3680
FAX: (510) 637-3724
molly.priedeman@usdoj.gov
andrew.paulson@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 4:23-CR-00212 HSG
)	
Plaintiff,)	
)	
v.)	NOTICE RE: PLEA AGREEMENT
)	
ANDREW JONES,)	
)	
Defendant.)	

The United States hereby files the attached executed plea agreement, which it anticipates the defendant will enter in a plea hearing to be set at a later date.

DATED: July 13, 2023

ISMAIL J. RAMSEY
United States Attorney

/s/ Andrew Paulson
ANDREW PAULSON
MOLLY K. PRIEDEMAN
Assistant United States Attorneys

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

THOMAS A. COLTHURST (CABN 99493)
Chief, Criminal Division

ANDREW PAULSON (CABN 267095)
MOLLY K. PRIEDEMAN (CABN 302096)
Assistant United States Attorneys

1301 Clay Street, Suite 340S
Oakland, California 94612
Telephone: (510) 637-3680
FAX: (510) 637-3724
andrew.paulson@usdoj.gov
molly.priedeman@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	NO. 4:23-cr-00212-HSG
)	
Plaintiff,)	PLEA AGREEMENT
)	
v.)	
)	
ANDREW JONES,)	
)	
Defendant.)	

I, Andrew Jones, and the United States Attorney's Office for the Northern District of California (hereafter "the government") enter into this written Plea Agreement (the "Agreement") pursuant to Rule 11(c)(1)(A) and 11(c)(1)(B) of the Federal Rules of Criminal Procedure:

The Defendant's Promises

1. I agree to plead guilty to Counts One through Seven of the captioned Information charging me with six counts of Sexual Abuse of a Ward, in violation of 18 U.S.C. § 2243(b), and one count of False Statements to a Government Agency, in violation of 18 U.S.C. § 1001(a)(2). I agree that

the elements of Sexual Abuse of a Ward are as follows: (1) I knowingly engaged in a sexual act with the victim; (2) at the time, the victim was in official detention at FCI Dublin; and (3) at the time, the victim was under my custodial, supervisory, or disciplinary authority.

I agree that the maximum penalties for Sexual Abuse of a Ward are as follows:

- | | | |
|----|---------------------------------|--|
| a. | Maximum prison term | 15 years |
| b. | Maximum fine | \$ 250,000 |
| c. | Restitution | |
| d. | Maximum supervised release term | Life |
| e. | Minimum supervised release term | 5 years |
| f. | Mandatory special assessment | \$100 per felony count plus
\$5,000 pursuant to 18 U.S.C.
§ 3014 |

I agree that the elements of False Statements to a Government Agency are as follows: (1) I made a false statement; (2) the statement was made in a matter within the jurisdiction of the Department of Justice Office of Inspector General (DOJ OIG); (3) I acted willfully, that is, I acted deliberately and with knowledge both that the statement was untrue and that my conduct was unlawful; (4) the statement was material to the activities or decisions of the DOJ OIG, that is, it had a natural tendency to influence, or was capable of influencing, the agency's decisions or activities; and (5) the statement involved offenses under Chapter 109A of Title 18 of the United States Code.

I agree that the maximum penalties are as follows:

- | | | |
|----|---------------------------------|------------------------|
| a. | Maximum prison term | 8 years |
| b. | Maximum fine | \$ 250,000 |
| c. | Maximum supervised release term | 3 years |
| d. | Mandatory special assessment | \$100 per felony count |

I understand that I am pleading guilty to multiple violations and that the Court may order that my sentence for each violation run consecutively.

//

//

1 2. I agree that I am guilty of the offenses to which I am pleading guilty, and I agree that the
2 following facts are true:

3 a) From May 24, 2020 until March 9, 2022, I served as a correctional officer at
4 FCI Dublin, an all-female federal prison located in the Northern District of California. During
5 that time, I served as a Cook Supervisor in the Food Services Department. In that role, I
6 supervised inmates who worked in Food Services preparing meals for the female inmates. As a
7 correctional officer, I was also able to discipline inmates, including by writing incident reports;
8 search inmates' cells; have their persons searched; monitor the inmates' phone calls, video chats,
9 and emails; and restrain the inmates using physical force, among other things.

10 b) *Sexual Abuse of C.V.* C.V. was an inmate who I supervised in the kitchen. On a
11 date between approximately July 1, 2020 and December 31, 2020, I instructed C.V. to go into the
12 staff bathroom in the kitchen while other inmates were eating in the dining room. Once inside
13 with C.V., I locked the door. I then kissed C.V. on her lips, and we touched one another in a
14 sexual manner. I then instructed C.V. to get on her knees while I stood in front of her. C.V. then
15 performed oral sex on me, causing contact between my penis and C.V.'s mouth. I ejaculated in
16 C.V.'s mouth and then cleaned myself with wipes.

17 c) The day after I received oral sex from C.V. as described in paragraph 2(b) above,
18 I again went to the staff bathroom in the kitchen at FCI Dublin with C.V. Once inside, I locked
19 the door. C.V. then performed oral sex on me while I stood and she kneeled in front of me. I
20 then directed C.V. to turn around and pull her pants down. She complied. I then had sexual
21 intercourse with C.V. by penetrating C.V.'s vulva with my penis.

22 d) On another date between approximately July 1, 2020 and December 31, 2020, I
23 entered the kitchen warehouse at FCI Dublin with C.V. Once inside, I had sexual intercourse
24 with C.V. by penetrating C.V.'s vulva with my penis.

25 e) In addition to the acts described in paragraphs 2(b)-(d), I had sexual intercourse
26 and received oral sex from C.V. on multiple other occasions between approximately July 1, 2020
27 and December 31, 2020.
28

1 f) ***Sexual Abuse of J.L.*** J.L. was an inmate who I supervised in the kitchen. She
2 began working in the kitchen in approximately November 2020. After she started working in the
3 kitchen, I began flirting with J.L. and sharing personal details about my life with her. On a date
4 between approximately March 1, 2021 and May 31, 2021, I called J.L. from her housing unit to
5 the kitchen. We entered the butcher freezer in the kitchen. I approached J.L. and lifted her shirt.
6 I then touched J.L.'s breasts and sucked on her breasts.

7 g) On a date between approximately January 1, 2021 and June 30, 2021, I took J.L.
8 to the Food Service warehouse, unlocked the warehouse door, told J.L. to wait for me in the
9 warehouse, and then locked the door behind her. I then entered the warehouse through another
10 door that was attached to another correctional officer's office. Once inside, I kissed J.L. on the
11 lips. I then had J.L. turn around and bend over. I pulled her pants down and had sexual
12 intercourse with J.L. by penetrating J.L.'s vulva with my penis. After having sexual intercourse
13 with J.L., J.L. turned around, knelt, and gave me oral sex while I stood, causing contact between
14 my penis and J.L.'s mouth. I then ejaculated in J.L.'s mouth.

15 h) ***Sexual Abuse of R.C.*** R.C. was an inmate who I supervised in the kitchen. She
16 began working in Food Services in approximately March 2021. After she started working there,
17 I began flirting with her. On a date between approximately March 1, 2021 and April 30, 2021, I
18 was in the staff bathroom in the kitchen with R.C. On that occasion, she licked and kissed my
19 penis, causing contact between my penis and R.C.'s mouth.

20 i) On a date between approximately March 1, 2021 and June 30, 2021, I entered a
21 room in the kitchen where R.C. was putting away cooking utensils. Once inside, I had sexual
22 intercourse with R.C. by penetrating R.C.'s vulva with my penis. We stopped having sex when I
23 heard someone approaching the room.

24 j) On another date between approximately March 1, 2021 and June 30, 2021, I was
25 alone with R.C. in a bathroom near the kitchen. On that occasion, R.C. gave me oral sex and we
26 had sexual intercourse. In doing so, I caused contact between my penis and R.C.'s mouth and I
27 penetrated R.C.'s vulva with my penis.
28

1 k) In addition to the three incidents described in paragraphs 2(h)-(j), I had sexual
2 intercourse with R.C. on multiple other occasions between approximately March 1, 2021 and
3 June 30, 2021.

4 l) At the time of the incidents discussed above in paragraphs 2(b)-(k), I was
5 employed as a correctional officer at FCI Dublin and C.V., J.L., and R.C. were inmates in
6 official detention at FCI Dublin. Consequently, at the time of these incidents, C.V., J.L., and
7 R.C. were under my custodial, supervisory, or disciplinary authority. At the time of these
8 incidents, FCI Dublin was a United States federal prison.

9 m) On March 11, 2022, I voluntarily spoke with special agents with the Department
10 of Justice Office of Inspector General (DOJ OIG). During that interview, I stated that I never
11 had sexual intercourse with C.V. That statement was false. In making this statement, I acted
12 willfully; that is, I acted deliberately and with knowledge both that the statement was untrue and
13 that my conduct was unlawful. My statement that I had never had sexual intercourse with C.V.
14 was made in a matter within the jurisdiction of the DOJ OIG. Moreover, the statement was
15 material to the activities or decisions of the DOJ OIG; that is, the statement had a natural
16 tendency to influence, or was capable of influencing the DOJ OIG's decisions or activities.
17 Finally, the statement involved offenses under Chapter 109A of Title 18 of the United States
18 Code.

19 3. I agree to give up all rights that I would have if I chose to proceed to trial, including the
20 rights to a jury trial with the assistance of an attorney; to confront and cross-examine government
21 witnesses; to remain silent or testify; to move to suppress evidence or raise any other Fourth or Fifth
22 Amendment claims; to any further discovery from the government; and to pursue any affirmative
23 defenses and present evidence.

24 4. I agree to give up my right to appeal my convictions, including constitutional challenges
25 to the statutes of conviction. I agree to give up my right to appeal the judgment and all orders of the
26 Court. I also agree to give up my right to appeal any aspect of my sentence, including any orders
27 relating to forfeiture and/or restitution, reserving only my right to claim that my sentence violated this
28

1 plea agreement, applicable law, or the Constitution. I reserve my right to claim that my counsel was
2 ineffective. I understand that this waiver includes, but is not limited to, any and all constitutional or
3 legal challenges to my convictions and guilty pleas, including arguments that the statutes to which I am
4 pleading guilty are unconstitutional, and any and all claims that the statement of facts provided herein is
5 insufficient to support my pleas of guilty.

6 5. I agree not to file any collateral attack on my convictions or sentence, including a petition
7 under 28 U.S.C. § 2255 or 28 U.S.C. § 2241, except that I reserve my right to claim that my counsel was
8 ineffective.

9 6. I agree not to ask the Court to withdraw my guilty pleas at any time after they are
10 entered. In the event I violate any of the terms of the Agreement, I agree that the facts set forth in
11 Paragraph 2 of this Agreement and, if applicable, the fact that I made a sworn admission to them in a
12 previous court proceeding, shall be admissible against me in any subsequent proceeding, including at
13 trial. In any subsequent proceeding conducted after I violate any of the terms of the Agreement, I
14 expressly waive any and all rights under Fed. R. Crim. P. 11(f) and Fed. R. Evid. 410 with regard to the
15 facts set forth in Paragraph 2 of the Agreement and, if applicable, the fact that I made a sworn admission
16 to them at a previous court proceeding.

17 7. I understand that the Court must consult the United States Sentencing Guidelines and
18 take them into account when sentencing, together with the factors set forth in 18 U.S.C. § 3553(a). I
19 also understand that the Court is not bound by the Guidelines calculations below; the Court may
20 conclude that a higher Guidelines range applies to me, and, if it does, I will not be entitled, nor will I
21 ask, to withdraw my guilty pleas. I further agree that regardless of the sentence that the Court imposes
22 on me, I will not be entitled, nor will I ask, to withdraw my guilty pleas. I agree that the Sentencing
23 Guidelines offense level should be calculated as set forth below, and that I will not request a downward
24 departure under the Sentencing Guidelines from that offense level although I reserve the right to seek a
25 downward variance based on the factors set forth in 18 U.S.C. § 3553(a). I understand that the
26 government is free to oppose any such request. The parties have reached no agreement regarding my
27 Criminal History Category.

1	a.	Base Offense Level, Group 1 (Counts 1 and 7), U.S.S.G. § 2J1.2(b)(1):	18
2	b.	Base Offense Level, Group 2 (Count 2), U.S.S.G. § 2A3.3:	14
3	c.	Base Offense Level, Group 3 (Count 3), U.S.S.G. § 2A3.3:	14
4	d.	Base Offense Level, Group 4 (Count 4), U.S.S.G. § 2A3.3:	14
5	e.	Base Offense Level, Group 5 (Count 5), U.S.S.G. § 2A3.3:	14
6	f.	Base Offense Level, Group 6 (Count 6), U.S.S.G. § 2A3.3:	14
7	g.	Multiple Count Adjustment, U.S.S.G. §§ 3D1.4(a), (b):	
8		Greater of Adjusted Offense Levels:	18
9		Increase in Offense Level:	+5
10		Combined Adjusted Offense Level:	23
11	h.	Acceptance of Responsibility:	- 3
12		If I meet the requirements of U.S.S.G. § 3E1.1, I may be entitled to a three-level reduction for acceptance of responsibility, provided that I forthrightly admit my guilt, cooperate with the Court and the Probation Office in any presentence investigation ordered by the Court, and continue to manifest an acceptance of responsibility through and including the time of sentencing.	
13	i.	Adjusted Offense Level:	20
14	8.	I agree that regardless of any other provision of this Agreement, the government may and	
15		will provide the Court and the Probation Office with all information relevant to the charged offenses and	
16		the sentencing decision, including Victim Impact Statements. I agree that, based on the nature of the	
17		offense, the Court should impose the following special condition of supervised release which is	
18		reasonably related to deterrence and rehabilitation:	
19		<u>Special Condition (Searches)</u>	
20		The defendant shall submit his person, residence, office, vehicle, electronic devices and	
21		their data (including cell phones, computers, and electronic storage media), and any	
22		property under defendant's control to a search. Such a search shall be conducted by a	
23		United States Probation Officer or any federal, state, or local law enforcement officer at	
24		any time, with or without suspicion. Failure to submit to such a search may be grounds	
25		for revocation; the defendant shall warn any residents that the premises may be subject to	
26		searches.	
27	9.	I agree that I will make a good-faith effort to pay any fine, forfeiture, or restitution I am	
28		ordered to pay. I agree to pay the special assessment at the time of sentencing.	
		I agree to pay full restitution for all losses caused by all the schemes or offenses with which I	
		was charged in this case, and I understand that the amount of restitution will not be limited to the loss	

1 attributable to the counts to which I am pleading guilty, pursuant to 18 U.S.C. § 3663(a)(3). I
2 understand that the Court will not consider my economic circumstances in determining the restitution
3 amount. I agree to pay restitution in an amount to be set by the Court at the time of sentencing.

4 Any restitution payments shall be paid through the Office of the Clerk of the District Court by
5 bank or cashier's check or money order made payable to the "Clerk, United States District Court."

6 I understand that the restitution described above creates a lien in favor of the United States on all
7 property and rights to property I may possess upon entry of judgment and continues for the later of 20
8 years from the entry of judgment or 20 years after release from imprisonment or until the debt is paid in
9 full. I further understand the government will record a notice of the lien in any county where I reside or
10 have property. I further understand that this order of restitution cannot be discharged in bankruptcy and
11 that if I default on the payment of a fine or restitution, the Court may revoke probation or a term of
12 supervised release, modify the terms or conditions of probation or supervised release, resentence me,
13 hold me in contempt of court, order the sale of property, enter or adjust a payment schedule, or take any
14 other action necessary to obtain compliance.

15 Within thirty days of the execution of this Plea Agreement, if asked by the Financial Litigation
16 Unit ("FLU") of the United States Attorney's Office, I agree to complete, under penalty of perjury, a
17 financial statement provided by the U.S. Attorney's Office and to update that statement with material
18 changes within seven days of the change. I understand that I must identify all assets and financial
19 interests valued at more than \$1,000. I further understand that these assets and financial interests
20 include all assets and financial interests in which I have an interest, direct or indirect, whether held in
21 my own name or in the name of another, in any property, real or personal.

22 I agree to surrender assets I obtained as a result of my crimes, and release funds and property
23 under my control in order to pay any fine, forfeiture, or restitution. I further agree to notify the FLU
24 before transferring any interest in property owned directly or indirectly by me, including any interest
25 held or owned under any other name or entity, including trusts, partnerships, and/or corporations. I also
26 agree to notify the FLU of any interest in property I may obtain, directly or indirectly, which is valued at
27 more than \$1,000, and which includes any interest obtained under any other name, or entity, including a
28

1 trust, partnership, or corporation, after the execution of this Plea Agreement until the fine or restitution
2 is paid in full.

3 I agree that any fine, forfeiture, or restitution imposed by the Court against me will be due
4 immediately and subject to immediate enforcement by the government as authorized by 18 U.S.C.
5 § 3613. I further understand that the government may seek immediate collection of the entire fine,
6 forfeiture, or restitution from any assets without regard to any schedule of payments imposed by the
7 Court or established by the Probation Office and that monetary penalties imposed by the Court will be
8 submitted to the Treasury Offset Program so that any federal payment or transfer of returned property I
9 receive may be offset and applied to federal debts.

10 10. I agree not to commit or attempt to commit any crimes before sentence is imposed or
11 before I surrender to serve my sentence. I also agree not to violate the terms of my pretrial release; not
12 to intentionally provide false information to the Court, the Probation Office, Pretrial Services, or the
13 government; and not to fail to comply with any of the other promises I have made in this Agreement. I
14 agree not to have any contact with any victims or witnesses in this case, either directly or indirectly,
15 before and after I am sentenced. This includes, but is not limited to, personal contact, telephone, mail,
16 or electronic mail contact, or any other written form of communication, and includes any harassing,
17 annoying, or intimidating conduct by me directed to any victims or witnesses. I agree that the Court
18 may also include this no-contact provision as a condition of my supervised release term. I agree that if I
19 fail to comply with any promises I have made in this Agreement, then the government will be released
20 from all of its promises in this Agreement, including those set forth in The Government's Promises
21 Section below, but I will not be released from my guilty pleas.

22 11. Understanding that the government has in its possession digital devices and/or digital
23 media belonging to and seized from me, I waive any right to the return of digital data contained on those
24 digital devices and/or digital media and agree that if any of these digital devices and/or digital media are
25 returned to me, the government may delete all digital data from those digital devices and/or digital
26 media before they are returned to me.

27 12. I agree that this Agreement contains all of the promises and agreements between the
28

government and me, and I will not claim otherwise in the future. No modification of this Agreement shall be effective unless it is in writing and signed by all parties.

13. I agree that the Agreement binds the U.S. Attorney's Office for the Northern District of California only, and does not bind any other federal, state, or local agency.

The Government's Promises

14. The government agrees not to file any additional charges against the defendant that could be filed as a result of the investigation that led to the captioned Information.

The Defendant's Affirmations

15. I confirm that I have had adequate time to discuss this case, the evidence, and the Agreement with my attorney and that my attorney has provided me with all the legal advice that I requested.

16. I confirm that while I considered signing this Agreement, and at the time I signed it, I was not under the influence of any alcohol, drug, or medicine that would impair my ability to understand the Agreement.

17. I confirm that my decision to enter guilty pleas is made knowing the charges that have been brought against me, any possible defense, and the benefits and possible detriments of proceeding to trial. I also confirm that my decision to plead guilty is made voluntarily, and no one coerced or threatened me to enter into this Agreement.

Dated: 7/11/23


ANDREW JONES
Defendant

ISMAIL J. RAMSEY
United States Attorney

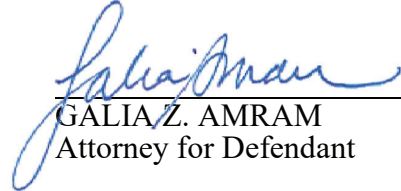
Dated: July 10, 2023


ANDREW PAULSON
MOLLY K. PRIEDEMAN
Assistant United States Attorneys

18. I have fully explained to my client all the rights that a criminal defendant has and all the

1 terms of this Agreement. In my opinion, my client understands all the terms of this Agreement and all
2 the rights my client is giving up by pleading guilty, and, based on the information now known to me, my
3 client's decision to plead guilty is knowing and voluntary.

4
5 Dated: July 11, 2023


GALIA Z. AMRAM
Attorney for Defendant